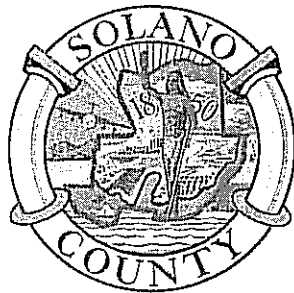


BOARD OF SUPERVISORS

Mike Reagan (Dist. 5), Chair
(707) 784-6130
John F. Silva (Dist. 2), Vice-Chair
(707) 553-5364
Barbara R. Kondylis (Dist. 1)
(707) 553-5363
James P. Spering (Dist. 3)
(707) 784-6136
John M. Vasquez (Dist. 4)
(707) 784-6129



County Administrator
MICHAEL D. JOHNSON
(707) 784-6100
Fax (707) 784-6665

675 Texas Street, Suite 6500
Fairfield, California 94533-6342
<http://www.co.solano.ca.us>

July 24, 2007

The Honorable David E. Power, Presiding Judge
Superior Court, State of California, County of Solano
Hall of Justice
530 Union Avenue
Fairfield, CA 94533

Dear Judge Power:

Under Penal Code sections 933 and 933.05, the Board of Supervisors is responding to the findings and recommendations in the following 2006/2007 Grand Jury Reports as they pertain to matters under the control of the Board of Supervisors:

- Part I – Solano County Justice Center Detention Facility Inspection;
- Part II – Solano Justice Building Court Holding Facility – Vallejo;
- Part III – Claybank Detention Facility;
- Part IV – Solano County Veterans' Buildings;
- Part V – Solano County Health & Social Services Department In-Home Supportive Services;
- Part VI – Fouts Springs Youth Facilities;
- Part VII – Solano County Food Establishment Inspection;
- Part VIII – Permission to Carry a Concealed Weapon;
- Part IX – Juvenile Detention and New Foundations Facilities; and
- Part X – Solano County Animal Care Services.

The Board's responses are limited to those areas of the respective reports where the County of Solano has responsibility and authority.

In this response, the Grand Jury Findings and Recommendations are listed followed by departmental and then Board of Supervisors' responses.

Sincerely,


Michael J. Reagan, Chairman
Solano County Board of Supervisors

Enclosures

Cc: Grand Jury

Part V

Solano County Health and Social Services Department (HSS) In-Home Supportive Services

Issued May 7, 2007

Solano County Health and Social Services Department and Board of Supervisors responses to findings and recommendations:

Finding 1 – During the investigation, the Grand Jury was informed there is a potential for fraud. However, the number of fraud cases prosecuted in Solano County is very low. In a caseload of approximately 2600 people, there were only six cases under investigation in 2006. There may be a number of reasons fraud cases do not get reported, including fear of losing care by recipients.

HSS Response to Finding 1 – Health and Social Services disagrees partially with the finding that there were only six In-Home Supportive Services (IHSS) fraud cases under investigation in 2006. Although six cases were referred to the State Bureau of Medi-Cal Fraud at the Department of Justice, other reports were investigated and found without substantiating evidence to warrant referral to the State for further action. Cases of overpayment and recovery were found and handled at the local level. Further, while it is possible that a recipient does not report fraud for fear of losing a provider, it is more likely that the recipient is unaware that fraud is occurring.

Recommendation 1a – Establish a task force to address perceived fraud concerns.

HSS Response to Recommendation 1a – Health and Social Services has implemented the recommendation that a task force be established to address perceived fraud concerns. A Fraud Task Force was formed in May 2007 after the department received the Grand Jury Report. There will be an emphasis on early fraud prevention.

Recommendation 1b – Schedule unannounced visits by social workers to coincide when the provider is present.

HSS Response to Recommendation 1b – Health and Social Services has partially implemented the recommendations that unannounced visits should be scheduled by social workers to coincide with when the provider is present. However, several practical barriers prevent full implementation of this recommendation. Recipients and providers are not required to provide IHSS with a schedule, and such visits are time-consuming, which could further aggravate our efforts to conduct higher-priority annual reassessments in a timely manner.

Nonetheless, Health and Social Services has established protocols for a six-month pilot program to conduct unannounced visits to two groups of IHSS recipients beginning in July. We will further evaluate the costs and benefits of this program after the pilot period expires.

Board of Supervisors' Response to Finding and Recommendation 1 – The Board of Supervisors agrees with the Department's response to the Grand Jury's finding and recommendations. The Board acknowledges that the potential for fraud is a real possibility in safety net programs like IHSS. The H&SS responses indicate that it is using due diligence to

address the potential for fraud. Further, the Board supports the Department's efforts that ensure public funds are expensed judiciously.

Finding 2 – In-home visits by social workers are not being completed as required.

HSS Response to Finding 2 – Health and Social Services agrees with the finding that in-home visits by social workers are not being completed as required.

Recommendation 2 – Take the steps necessary to determine the reason for the lack of compliance and correct this situation.

HSS Response to Recommendation 2 – Health and Social Services has partially implemented the recommendation. Four significant factors affect the workload for IHSS social workers, leading to failure to conduct some required in-home visits:

- IHSS became a Medi-Cal Point of Sale, adding duties to social workers' workload. This means that the Share of Cost must be paid entirely before Medi-Cal is activated for that month. IHSS is now a vendor for the Share of Cost.
- The caseload of non-federally funded cases has increased due to statewide computer systems that identify more administratively-intensive clients. If Medi-Cal status comes into question, it is often a temporary situation. The social worker must research why there are Medi-Cal eligibility problems.
- On August 31, 2006 new regulations for IHSS required calculating precise amounts of time it takes for each IHSS-covered task or service.
- Finally, newly-required assessment forms which were implemented in February 2007 are more detailed and require more time to complete by social worker.

The above issues are affecting counties' ability to complete required in-home visits statewide, and are being examined by State officials through the California Welfare Directors' Association. Solano County participates in the Association and its efforts to resolve these issues.

In addition, Solano County IHSS is making every effort to recruit and train employees to fill an unusually high number of vacancies. It should be noted that IHSS is a complex program with many elements and typically requires a year for new employees to fully understand the work. Therefore, even if we succeed in filling all vacancies, we should expect to see gradual improvement but not immediate relief from all staffing issues. The Department is making every effort to mitigate these problems, including bringing back retired social workers part-time, sharing workloads, and expediting the hiring process whenever possible. But there are no easy solutions. The staffing shortage is made worse by the increased duties described above, which would require a significant number of new positions and additional office space to fully comply with this recommendation.

Board of Supervisors' Response to Finding and Recommendation 2 – The Board of Supervisors agrees with the Department's response to the Grand Jury's finding and recommendation. The Board recognizes the complexity of services and documentation required for the increasing volume of IHSS cases and encourages the Department to explore process improvements that would mitigate the increased administrative tasks by streamlining work efforts wherever possible to free staff to do more home visits.

Additional comments from Patrick Q. Duterte, Director of Health and Social Services:

Health and Social Services wishes to thank the Grand Jury for its evaluation of the In-Home Supportive Services program in our Older and Disabled Adult Services Division. We appreciate the Grand Jury's comments about the compassion and dedication of staff. I personally want to acknowledge the hard work and commitment of the In-Home Supportive Services social workers and support staff.